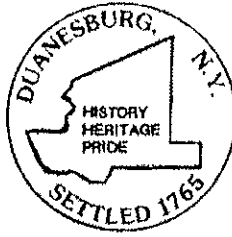


Roger Tidball, Town Supervisor
Jennifer Howe, Town Clerk
Brandy Fall, Deputy Town Clerk
William Reed, Highway Superintendent



John D. Ganther, Council Member
Charles Leoni, Council Member
Francis R. Potter, Council Member
Jeffrey Senecal, Council Member

Thursday May 9, 2019
Regular Town Board Meeting
Meeting Time: 7:00PM

Meeting called to order by Supervisor Tidball at 7:00PM

Present: Supervisor Tidball, Council Members Ganther, Leoni, Potter, Senecal, Highway Superintendent William Reed, Town Clerk Jennifer Howe, Town Attorney Terresa Bakner
Absent:

Pledge of Allegiance
Prayer/Moment of Reflection offered by Pastor McHeard

Resolution 63-19: Council Member Potter motioned, seconded by Council Member Leoni to approve the Town Board Meeting minutes of Thursday, April 25, 2019.
Motion carried, 5 ayes

Town Clerk, Jennifer Howe, read the Town Clerk's Report for April 2019 (see attached).

Resolution 64-19: Council Member Potter motioned, seconded by Council Member Ganther to pay the following claims:
Motion carried, 5 ayes

Vouchers to be Paid

May 9, 2019

General Fund: #124-134	\$26,237.27
SD#1: #57-65	\$3,664.01
SD#2: #60-69	\$6,069.45
SD#3: #36-42	\$3,228.62
Highway: #81-82	\$916.22
<hr/>	
Total Vouchers to be Paid=	\$40,115.57

Highway: Council Member Potter stated that the highway department has been sweeping roads and still has the north end of town to do as we are waiting for a part to fix the sweeper. We are waiting on quotes to get a new loader; looking at the cost of leasing vs. purchasing. We have received six applications for the vacant highway position. Highway Superintendent Reed had a meeting with the sales representative for Gorman Group to go over capital improvements. Some of the roads they are looking into working on are Gutha, Gardiner, Koons, Brown, Esperance Station and maybe VanPatten. The highway department participated in the 2nd safety training for the year today and has one more to go. The CHIPS funds to work with this year are approximately \$221,143. We are losing out, because there is no longer any extreme weather recovery money which would normally be around \$23,000.

Superintendent Reed had a meeting with the residents on Lake Ave today. They would really like the town to take the ball and run with it on their road. We went over a few issues and Superintendent Reed said if I were to take it over it needs to be a through road which would mean taking over a portion of some one's land and I'm not sure of the legalities on that issue. The residents understood that with the plowing and the safety concerns, but they would really like the town to take it over. On paper that road was never a town road.

Public Safety: Council Member Leoni reported that he attended the Town Fire Officer's meeting last night. There was a discussion on the lack of attendees at trainings. There is going to be a meeting between the town and the ambulance corps (DVAC & Esperance) to improve response times and address resident complaints. Duanesburg Fire has a tanker for sale. Burtonsville Fire has a Mother's Day brunch between 10am-1pm on Sunday. On May 18th Mariaville Fire Dept. will be having a garage sale with a cost of \$10 per table. DVAC will be holding a demonstration at the high school to instruct the students on EMS. Adam Fink who is a member of DVAC was recognized as an excellent instructor. The next meeting will be on September 11th at Delanson Fire Department. Supervisor Tidball announced that next month we will be giving a presentation to Adam Fink for his recognition.

Parks: Council Member Leoni reported that we have found an Assistant Park Program Director whom the board will be appointing this evening. Duanesburg Central School Superintendent Macri attending the last park committee meeting. We mentioned that we are going to be looking for high school aged counselors for the park program soon and he said he would spread the word at the high school. The well at Van Patten Park will need to be tested at least 2 weeks prior to the park program starting. The next Park Committee meeting will be on June 3, 2019 at 6:30 at Van Patten Park to do a walk around and go over what needs to be done at that park. Then, we will be going over to Shafer Park to do a walk around there and see what needs to be done at that park for the season. An award will be given to Lynda McLaughlin at the next park meeting for her past service with the park committee.

Sewer District #1, 2 & 3: Council Member Ganther reported that we had a meeting with Delaware Engineering last week to go over the billing for Sewer District #3 and all the projects associated with that. We have a spreadsheet to go with all the bills and adjusted bills with backup documents now. We did agree on how we can label future bills to prevent any confusion in the future. Council Member Ganther hasn't had a chance to go over Dale's report with him, but he will meet with him and have a report for next meeting. Bill from Delaware Engineering gave an update on the capital projects (see attached).

Technology: Council Member Ganther reported that they had a broadband committee meeting last Wednesday, May 1, 2019 @ 6:30pm at the lower level of Town Hall. They have been working on scheduling a meeting with MIDTEL and just learned today that they have one setup for May 15th @ 6:30pm here at Town Hall. We are looking to partner with MIDTEL on an available grant opportunity through a federal program called USDA reconnect. The application deadline for that program is June 21st. For MIDTEL to qualify for the grant it would be 50% grant money and then 50% provided by the broadband provider company, but it would be used for broadband extensions in town. The next Broadband Committee meeting is scheduled for Wednesday, June 5th @ 6:30 here at Town Hall and both meetings are open to the public.

Business Meeting:

Resolution 65-19: Council Member Leoni motioned, seconded by Council Member Potter to approve a public hearing on Thursday June 13, 2019 at 7pm for the purpose of hearing all persons interested in the matter of: Amending the official Town Zoning Map to show tax map parcel 68.-2-25.4, currently zoned partially as Agriculture & Residential District (R-2) and partially as Commercial (C-1) to be zoned partially as Agriculture & Residential District (R-2) and partially as Manufacturing & Light Industrial (C-2). Motion carried, 5 ayes

Resolution 66-19: Council Member Ganther motioned, seconded by Council Member Senecal to approve a public hearing on Thursday June 13, 2019 at 7pm for the purpose of hearing all persons interested in the matter of: Amending the official Town Zoning Map to show tax map parcel 67.05-2-4, currently zoned Hamlet (H) to be zoned Manufacturing & Light Industrial (C-2). Motion carried, 5 ayes

Resolution 67-19: Council Member Potter motioned, seconded by Council Member Leoni accept the resignation of Richard Tollner as Town Assessor. Motion carried, 5 ayes

Resolution 68-19: Council Member Senecal motioned, seconded by Council Member Ganther to appoint Julie Myers as the Assistant Park Program Director. Motion carried, 5 ayes

Resolution 69-19: Council Member Ganther motioned, seconded by Council Member Potter to adopt the fund balance policy. Motion carried, 5 ayes

Privilege of the Floor: Opened at 7:37 pm

Bill Park of Maranatha Way asked a question about the fund Balance Policy. He was given a copy of the policy for his review. Mr. Park asked how our policy favors to the other towns fun balance policies. Supervisor Tidball stated that ours is based off of other towns and made into our own. Mr. Park also made a statement that the Highway Superintendent has the right to spend the highway budgeted money anyway he wants for town highway purposes.

Floor Closed: 7:43 pm

Supervisor Tidball motioned, seconded by Council Member Leoni to go into executive session to seek advice from counsel. Motion carried, 5 ayes

Supervisor Tidball motioned, seconded by Council Member Leoni to come out of executive session.

Motion carried, 5 ayes

I, Jennifer Howe, Town Clerk of the Town of Duanesburg, so hereby certify that this is a true and accurate transcript of the Regular Town Board Meeting held on Thursday May 9, 2019 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056.

Account#	Account Description	Fee Description	Qty	Local Share
		Animal Shelter Boarding Fees	1	130.00
		Hometown Hero Banner	1	125.00
		Park Rental Fee	1	40.00
		Special Use Permit	1	100.00
		Zoning Map Change	1	200.00
	Building Permit Renewal	Building Permit Renewal	1	30.00
	Marriage License Fee	Marriage License Fee	2	35.00
	Misc. Fees	Certified Copies - Death	26	260.00
		Certified Copies - Marriage	4	40.00
	Operating Permit	Operating Permit	1	30.00
	Planning & Zoning Fees	Planning & Zoning Fees	1	150.00
	septic repair	septic repair	1	50.00
	subdivision minor	Subdivision	4	375.00
		Sub-Total:		\$1,565.00
2122	Connection Fee	Connection Fee	1	1,000.00
		Sub-Total:		\$1,000.00
A1255	Conservation	Conservation	6	6.92
		Sub-Total:		\$6.92
A2544	AFTER 30 DAYS	AFTER 30 DAYS	4	20.00
	Dog Licensing	Female, Spayed	18	252.00
		Female, Unspayed	2	44.00
		Male, Neutered	23	322.00
		Male, Unneutered	2	44.00
		Replacement Tags	2	10.00
		Sub-Total:		\$692.00
B2555	Building Permits	Building Permits	9	1,340.00
	Other Permits	Other Permits	1	30.00
		Sub-Total:		\$1,370.00
		Total Local Shares Remitted:		\$4,633.92
Amount paid to:	NYS Ag. & Markets for spay/neuter program			53.00
Amount paid to:	NYS Environmental Conservation			118.08
Amount paid to:	State Health Dept. For Marriage Licenses			45.00
Total State, County & Local Revenues:	\$4,850.00	Total Non-Local Revenues:		\$216.08

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Jennifer Howe, Town Clerk, Town of Duanesburg during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor

Date

Town Clerk

Date

Monthly Report April 2019

Submitted by: Dale Warner 5/6/19

3 hour training in house on ladder safety, blood borne pathogens, work place violence, tick safety
4/18/19

Dale, Bill Brown, John Ganther at 10534 Duaneburg Rd. plan on addressing check valve failure.
4/19/19

Sewer Meeting staff & Board Member-4/25/19

SD#1

Plant:

1. Cory-Removed Limit Switch on SBR#2 was sticking loosened it up and reinstalled 4/3/19
2. Cory-adjusted decanter in SBR#2 4/11/19
3. Andrew-changed bulbs and Ballasts at WWTP 4/22/19
4. Andrew & Tim-cleaned and inspected UV system replaced bulb and tube. 4/23/19

Collection System:

1. Cory-426 Cole Rd. Residential Grinder Pump pumped Tank, chain and chair broken replaced with new. Repaired plug on pump replaced with new wiring reinstalled checked operation. 4/4/19 (4 hours)
2. Cory-473 E.Shore Rd. Residential Grinder pump, replaced capacitor, check operation 4/10/19
3. Cory-Rt 7 Pump station high level alarms- called Blue Diamond to take out two loads 4/15/19
4. Cory-10534 Duaneburg Rd. back flow preventer failed sewer in basement. 4/15/19
5. Andrew-10534 Duaneburg Rd. Installed vent between two check valves.
6. Andrew-Rt.7 pump station patched leak around conduit which let water into tank. 4/19/19
7. Cory & Brian (Parks)-lifted manhole covers checking for I&I-4 hours. 4/26/19

SD#2

Plant:

1. Cory-painted floor in blower room, reinstalled fascia on WWTP building 4/11/19
2. Cory-clean up grounds WWTP 4/13/19
3. Andrew- changed outlet covers which had been damaged on SBR#2 4/25/19

Collection System:

1. Cory-Spring Rd. Pump station High level Alarm-called Blue Diamond to take out two loads 4/15/19
2. Cory-2388 Weast Rd. Residential Grinder Pump, replaced capacitor and alarm float, pulled pump changed check valve which was leaking. 4/15/19
3. Cory- 2344 Weast Rd. Residential Grinder Pump, replaced On float, Off float, Alarm float. 4/25/19

Town of Duanesburg Town Board

RESOLUTION INTRODUCING LOCAL LAW No. 1 of 2019

RESOLUTION NO. 65 - 2019

May 9, 2019

WHEREAS, Local Law No. 1 of 2019 is hereby introduced amending the official Town Zoning Map to show tax map parcel 68.-2-25.4 (the "Property"), currently zoned partially as Agriculture & Residential District (R-2) and partially as Commercial (C-1) to be zoned partially as Agriculture & Residential District (R-2) and partially as Manufacturing & Light Industrial (C-2) (the "Proposed Local Law"); and

WHEREAS, Superior Housing, LLC, with the consent of the Property owners, William & Cynthia Miner, applied to the Town of Duanesburg Town Board to have the Property rezoned; and

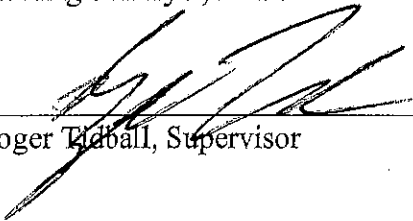
WHEREAS, the Town Board consents to the Town of Duanesburg Planning Board acting as lead agency for purposes of the SEQRA review; and

NOW THEREFORE BE IT RESOLVED, that each member of the Town Board has received the attached Proposed Local Law attached hereto; and

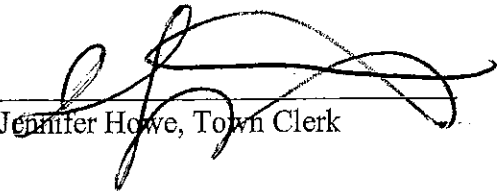
BE IT FURTHER RESOLVED, that the Town Board hereby consents to the Town of Duanesburg Planning Board acting as lead agency for SEQRA review and refers the local law and rezoning application to the Town Planning Board and the Town Zoning Board of Appeals as well as to the Schenectady County Planning Department pursuant to General Municipal Law § 239-m; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to publish a notice of public hearing on the local law/request for rezoning in the Schenectady Gazette to appear once no later than ten (10) days before the date of the public hearing which shall take place at the regular meeting of the Town of Duanesburg Town Board at the Town Offices at 5853 Western Turnpike, Duanesburg, NY 12056 on June 13, 2019 at 7:00 p.m..

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of May 9, 2019.



Roger Tidball, Supervisor



Jennifer Howe, Town Clerk

Present: Supervisor Tidball, Council Member Ganther, Potter, Leoni, Senecal
Absent:

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	Nay	Abstain
John Ganther	<input checked="" type="radio"/> Yea	Nay	Abstain
Rick Potter	<input checked="" type="radio"/> Yea	Nay	Abstain
Charles Leoni	<input checked="" type="radio"/> Yea	Nay	Abstain
Jeff Senecal	<input checked="" type="radio"/> Yea	Nay	Abstain

TOWN OF DUANESBURG LOCAL LAW NO. 1 OF 2019

**A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF DUANESBURG
TO RE-ZONE TAX MAP PARCEL NO. 68.-2-25.4 FROM AGRICULTURE &
RESIDENTIAL (R-2) AND COMMERCIAL (C-1) TO AGRICULTURE &
RESIDENTIAL (R-2) AND MANUFACTURING & LIGHT INDUSTRIAL (C-2)**

BE IT ENACTED by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

Section 1. Title of the Local Law.

This local law shall be entitled "A Local Law Amending the Zoning Map of the Town of Duanesburg to Re-zone Tax Map Parcel No. 68.-2-25.4 from Agriculture & Residential (R-2) and Commercial (C-1) to Agriculture & Residential (R-2) and Manufacturing & Light Industrial (C-2)."

Section 2. Authorization.

This local law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

Section 3. Purpose.

The Town of Duanesburg has received an application from the owner of tax map parcel #68.-2-25.4 to re-zone the property from Agriculture & Residential (R-2) and Commercial (C-1) to Agriculture & Residential (R-2) and Manufacturing & Light Industrial (C-2). The Town Board finds that this request for a zone change is consistent with the Comprehensive Plan and the character of the community at this location.

Section 4. Zoning Map Amendment

The Town of Duanesburg Zoning Map is hereby amended to show the change of tax map parcel #68.-2-25.4 from Agriculture & Residential (R-2) and Commercial (C-1) to Agriculture & Residential (R-2) and Manufacturing & Light Industrial (C-2), as set forth on the attached map.

Section 5 Supersession.

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statutes are inconsistent with this Local Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

Section 6. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 7. Effective Date.

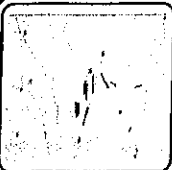
This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN BOARD
TOWN OF DUANESBURG

PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, June 13, 2019** at **7:00 p.m.** for the purpose of hearing all persons interested in the adoption of:

Local Law No. 1 of 2019 entitled "A Local Law Amending the Zoning Map of the Town of Duanesburg to Re-zone Tax Map Parcel No. 68.-2-25.4 from Agriculture & Residential (R-2) and Commercial (C-1) to Agriculture & Residential (R-2) and Manufacturing & Light Industrial (C-2)." The proposed law would re-zone the property identified as Tax Map Parcel No. 68.-2-25.4 from Agriculture & Residential (R-2) and Commercial (C-1) to Agriculture & Residential (R-2) and Manufacturing & Light Industrial (C-2).

BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG



SITE LOCATION MAP
SCALE N.T.S.

No.	Revision Description	Date

PRINTED TO SCALE
THESE DIMENSIONS
ARE FOR INFORMATION
ONLY. THE DIMENSIONS
SHOWN ON THIS MAP
DO NOT REPRESENT THE
ACTUAL DIMENSIONS OF
THE PROPERTY.

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ACTUAL DIMENSIONS OF
THE PROPERTY.



EMPIRE ENGINEERING, PLLC
1200 DUNBAR ROAD
SUITE 200
ALBANY, NY 12206
TEL: (518) 486-4172
FAX: (518) 486-4173

SELF-STORAGE EXPANSION
SUPERIOR HOLDINGS, LLC
2004 WESTERN TURNPIKE
SUITE 200
ALBANY, NY 12206

ZONING CHANGE MAP
5/9/2019
C101
T-200

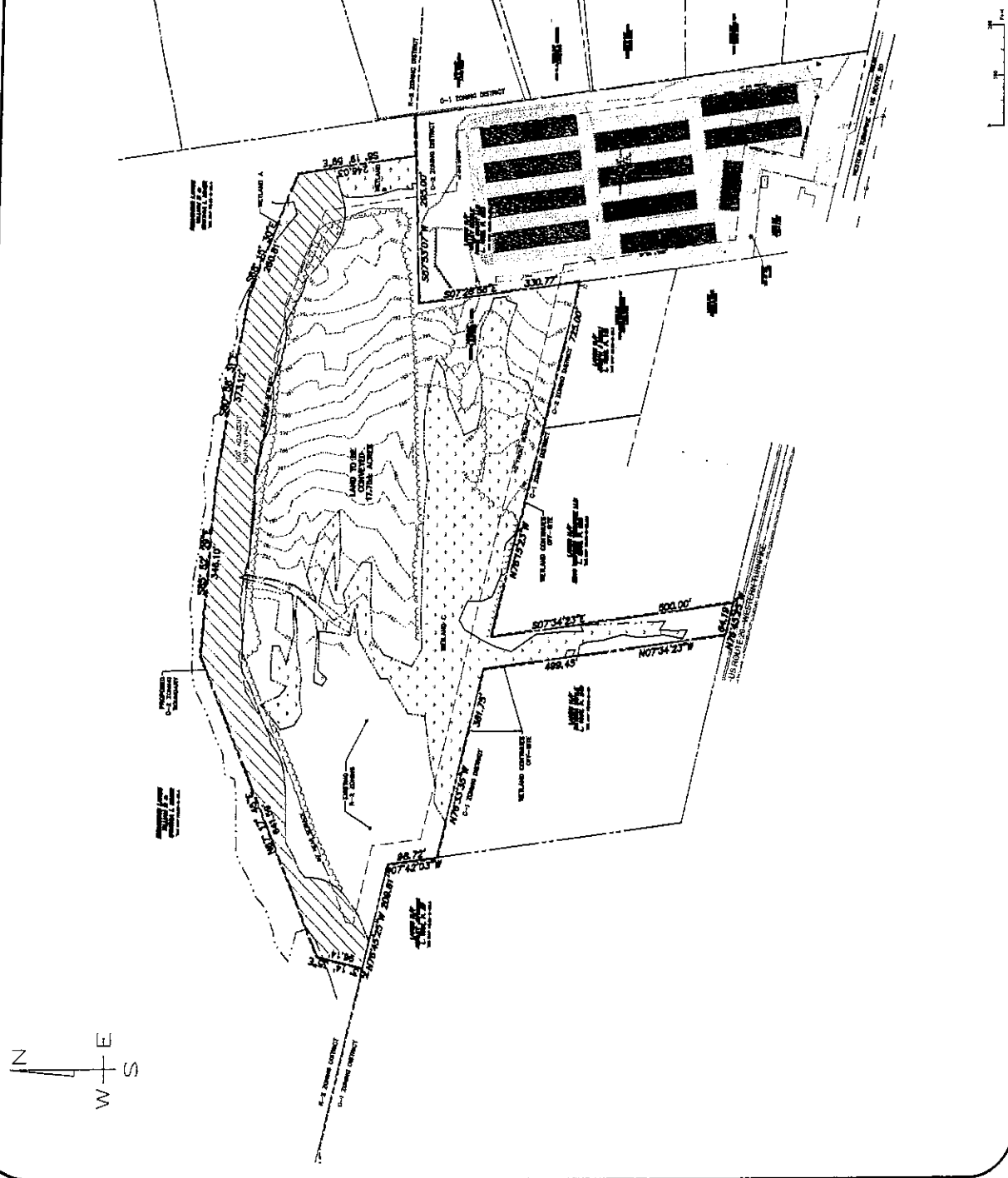
PROJECT INFORMATION:
OWNER: VALLEY HOMES HOME CORP., LLC
APPLICANT: VALLEY HOMES HOME CORP., LLC
PROJECT NO.: 19-001
PROPERTY TAX MAP NUMBER: 88-2-08
PROPERTY TAX MAP: LITCH FIELD
PARCEL NO.: 19-001
TOWN: ALBANY
COUNTY: ALBANY
ZONING: R-1
SUBDIVISION: 19-001
DEED REFERENCE: 19-001
DEED BOOK: 19-001
DEED PAGE: 19-001
DEED DATE: 19-001
DEED COUNTY: ALBANY

DEED REFERENCES:
1) DEED BOOK 19-001, PAGE 19-001
2) DEED BOOK 19-001, PAGE 19-001
3) DEED BOOK 19-001, PAGE 19-001
4) DEED BOOK 19-001, PAGE 19-001
5) DEED BOOK 19-001, PAGE 19-001
6) DEED BOOK 19-001, PAGE 19-001
7) DEED BOOK 19-001, PAGE 19-001
8) DEED BOOK 19-001, PAGE 19-001
9) DEED BOOK 19-001, PAGE 19-001
10) DEED BOOK 19-001, PAGE 19-001

MAP REFERENCES:
1) MAP BOOK 19-001, PAGE 19-001
2) MAP BOOK 19-001, PAGE 19-001
3) MAP BOOK 19-001, PAGE 19-001
4) MAP BOOK 19-001, PAGE 19-001
5) MAP BOOK 19-001, PAGE 19-001
6) MAP BOOK 19-001, PAGE 19-001
7) MAP BOOK 19-001, PAGE 19-001
8) MAP BOOK 19-001, PAGE 19-001
9) MAP BOOK 19-001, PAGE 19-001
10) MAP BOOK 19-001, PAGE 19-001

NOTES:
1) THE MAP BOOK 19-001, PAGE 19-001
2) THE MAP BOOK 19-001, PAGE 19-001
3) THE MAP BOOK 19-001, PAGE 19-001
4) THE MAP BOOK 19-001, PAGE 19-001
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9) THE MAP BOOK 19-001, PAGE 19-001
10) THE MAP BOOK 19-001, PAGE 19-001

NOTES:
1) THE MAP BOOK 19-001, PAGE 19-001
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9) THE MAP BOOK 19-001, PAGE 19-001
10) THE MAP BOOK 19-001, PAGE 19-001



Town of Duanesburg Town Board

RESOLUTION INTRODUCING LOCAL LAW No. 2 of 2019

RESOLUTION NO. 66 - 2019

May 9, 2019

WHEREAS, Local Law No. 2 of 2019 is hereby introduced amending the official Town Zoning Map to show tax map parcel 67.05-2-4 (the "Property"), currently zoned Hamlet (H) to be zoned Manufacturing & Light Industrial (C-2) (the "Proposed Local Law"); and

WHEREAS, the Property owner, Duanesburg Nueagle, LLC, applied to the Town of Duanesburg Town Board to have the Property re-zoned; and

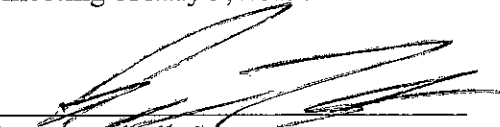
WHEREAS, the Town Board consents to the Town of Duanesburg Planning Board acting as lead agency for purposes of the SEQRA review; and


NOW THEREFORE BE IT RESOLVED, that each member of the Town Board has received the attached Proposed Local Law attached hereto; and

BE IT FURTHER RESOLVED, that the Town Board hereby consents to the Town of Duanesburg Planning Board acting as lead agency for SEQRA review and refers the local law and rezoning application to the Town Planning Board and the Town Zoning Board of Appeals as well as to the Schenectady County Planning Department pursuant to General Municipal Law § 239-m; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to publish a notice of public hearing on the local law/request for rezoning in the Schenectady Gazette to appear once no later than ten (10) days before the date of the public hearing which shall take place at the regular meeting of the Town of Duanesburg Town Board at the Town Offices at 5853 Western Turnpike, Duanesburg, NY 12056 on June 13, 2019 at 7:00 p.m..

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of May 9, 2019.


Roger Tidball, Supervisor


Jennifer Howe, Town Clerk

Present: Supervisor Tidball, Council Members Ganther, Potter, Leoni & Senecal
Absent:

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
John Ganther	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Rick Potter	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Charles Leoni	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Jeff Senecal	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain

TOWN OF DUANESBURG LOCAL LAW NO. 2 OF 2019

**A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF DUANESBURG
TO RE-ZONE TAX MAP PARCEL NO. 67.05-2-4 FROM HAMLET (H) TO
MANUFACTURING & LIGHT INDUSTRIAL (C-2)**

BE IT ENACTED by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

Section 1. Title of the Local Law.

This local law shall be entitled "A Local Law Amending the Zoning Map of the Town of Duanesburg to Re-zone Tax Map Parcel No. 67.05-2-4 from Hamlet (H) to Manufacturing & Light Industrial (C-2)."

Section 2. Authorization.

This local law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

Section 3. Purpose.

The Town of Duanesburg has received an application from the owner of tax map parcel #67.05-2-4 to re-zone the property from Hamlet (H) to Commercial & Light Industrial(C-2). The Town Board finds that this request for a zone change is consistent with the Comprehensive Plan and the character of the community along Duanesburg Road at this location.

Section 4. Zoning Map Amendment

The Town of Duanesburg Zoning Map is hereby amended to show the change of #67.05-2-4 from Hamlet (H) to Commercial & Light Industrial (C-2), as set forth on the attached map and attached property description.

Section 5 Supersession.

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statutes are inconsistent with this Local Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

Section 6. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

Property Description: #67.05-2-4

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with the buildings and improvements thereon erected, situated, lying and being in the Town of Duanesburg, County of Schenectady and State of New York and in the Village of Duanesburg, bounded and described as follows: viz: commencing at the Northeast corner of the lands owned by Alice B. Turnbull, (now or formerly), at its intersection with the South line of the Great Western Turnpike, running from thence in an Easterly direction along the south line of the Great Western Turnpike a distance of about three hundred twenty (320) feet to the lands heretofore sold by Ralph A. McDougall and wife to Common School District Number Five; running from thence in a southerly direction along the West line of lands of Common School District Number Five, a distance of one hundred seventy-three (173) feet; running from thence in a Westerly direction and parallel with the course first above mentioned along the lands, now or formerly of Ralph A. McDougall and wife, a distance of three hundred twenty (320) feet more or less to the East line of said Alice B. Turnbull's land, now or formerly, running from thence in a northerly direction along the lands of said Alice B. Turnbull, now or formerly, one hundred seventy-three (173) feet to the point or place of beginning. Being a portion of the premises heretofore conveyed to Ralph A. McDougall and Kate O'Neil McDougall, his wife, by Catherine Schrade by deed dated april 12, 1909.

Excepting from the above described parcel, a parcel of land conveyed by Leroy J. Knowles and Marion Knowles, his wife, to John Wright and Jennie Wright his wife, by deed dated April 30, 1929 and recorded in the Schenectady County Clerk's Office on May 2, 1929 in Book 356 of Deeds at Page 350.

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN BOARD
TOWN OF DUANESBURG

PLEASE TAKE NOTICE, that the Town Board of the Town of Duanesburg, New York, will meet at the Town Offices of Duanesburg, 5853 Western Turnpike, on **Thursday, June 13, 2019** at **7:00 p.m.** for the purpose of hearing all persons interested in the adoption of:

Local Law No. 2 of 2019 entitled "A Local Law Amending the Zoning Map of the Town of Duanesburg to Re-zone Tax Map Parcel No. 67.05-2-4 from Hamlet (H) to Manufacturing & Light Industrial (C-2)." The proposed law would re-zone the property identified as Tax Map Parcel No. 67.05-2-4 from Hamlet (H) to Manufacturing & Light Industrial (C-2)


BY ORDER OF THE TOWN BOARD
TOWN OF DUANESBURG

67.05-2-4




May 3, 2019

polygonLayer

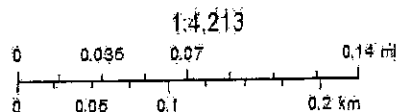
 Override 1

 Park and Open Spaces

Parcels

 Override 1

Parcels



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

No Author

This map and information is provided as is. We make no warranties or guarantees, expressed or implied. The user assumes all risks and responsibility for determining whether this map is sufficient for purposes intended. The data is deemed reliable but not guaranteed.



Delaware Engineering, D.P.C.

55 South Main Street
Oneonta, NY 13820

Tel: 607.432.8073
Fax: 607.432.0432

TOWN OF DUANESBURG, NY TOWN BOARD MEETING May 9, 2019

1. Sewer District #3

- General contractor has requested moving forward with closing out their contract
 - Extended warranty letter and maintenance bond provided
 - Currently holding \$22,231 in retainage, and have pending invoice with value of \$16,324 for added O&M work. Total final cost \$38,556
- Final project costs to be reviewed with the Town
- Draft draw request prepared to submit to EFC for remaining construction funds and reimbursement of engineering related costs (attached)

2. Sewer District #2

- Mariaville WWTP SPDES permit was modified in 2018 to require disinfection be added at the plant by 2023
- Town applied for and was awarded \$300k Water Quality Improvement Program (WQIP) grant from NYSDEC to go towards the \$400k project
- DEC forwarded documentation on the grant to Town to initiate the processing. Draft budget and workplan prepared, based on the initial application, and able to be uploaded to grants gateway website (attached) – Required back by June 18 to DEC
- Town will need to decide on plan of finance for the project (local ban or potential for EFC). Will need to review options with Town Bond Counsel

3. Sewer District #1

- Long term improvements required by NYSDEC Consent Order to be implemented by 12/2021
 - Project includes equalization tank, screen for rags/wipes, upgraded disinfection and controls
 - Estimated project cost ~\$1.8 million
- Town applied for and was awarded a Water Infrastructure Improvement Act grant in amount of \$436k to go towards the project. Remaining project costs to be financed with a CWSRF loan through NYSEFC
- Revised Engineering Report to be issued based on EFC comments
- DEC issued a request for information on the Delanson WWTP as part of a review of the SPDES permit, which is up for renewal next year. Response due back by July 26.
 - Will require testing be conducted, and summary of the plant history along with drawings and forms be completed

4. Attachments

- EFC Draw request Package with Vacri Pay App
- Mariaville WWTP Work Plan and Budget for WQIP Grant
- DEC request for information for Delanson

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EFC Draw Request with Vacri Pay App

EXHIBIT L

[FORM OF SUPPLEMENTAL CERTIFICATE OF DETERMINATION]

TOWN OF DUANESBURG
SRF Project No.: C4-5469-02-00

SUPPLEMENTAL CERTIFICATE OF DETERMINATION
amending and supplementing
the hereinafter defined
Certificate of Determination

Dated as of the day of , 20 19

I, the undersigned Finance Officer of the Town of Duaneburg (the "Recipient"), hereby certify and agree as follows:

1. This Supplemental Certificate of Determination is being delivered pursuant to the Project Finance Agreement (the "Project Finance Agreement") dated as of October 27, 2016 between the New York State Environmental Facilities Corporation (the "Corporation") and the Recipient and the certificate of determination dated as of October 27, 2016 and delivered by the Recipient in connection there with (the "Certificate of Determination"). In accordance with the Project Finance Agreement and the Certificate of Determination, the Certificate of Determination is hereby supplemented. All capitalized terms used but not defined herein shall have the respective meanings set forth in the Project Finance Agreement.

2. The certifications made in paragraphs 2, 3, 7 and 8 of the Certificate of Determination are confirmed and remade as of this date.

3. The Corporation is hereby requested to make an Advance under the Financing in the amount of \$ 273,544.86 for Project Costs. Upon the making of an advance under Recipient Note No. RST-1 (the "Note"), the Corporation is authorized to record all or a portion of such advance on the grid attached to the Note.

4. The above Project Costs have not been paid with the proceeds of any Third-Party Funding, except as specifically described herein: NA

5. The Recipient has determined that such Project Costs are reasonable, necessary, and allocable to the Financed Project under generally accepted governmental accounting standards.

6. This is Advance number 15 requested under the Financing and this Advance, if made, together with the prior Advances requested, will not either of exceed the Maximum Advance Amount of the Note or the Grant.

7. The making of the Advance under the Note will not result in a borrowing by the Recipient that will violate any State Constitutional, statutory or judicial limitation on the issuance of debt by the Recipient.

8. The Recipient hereby represents and warrants that it is not in default under the Project Finance Agreement, that no event has occurred which, with the passage of time or the giving of notice or both, would become a default thereunder, that it has performed all of the covenants and agreements that it is required to perform under the Project Finance Agreement, that the making of the Advance requested by this Certificate has been duly authorized by the Recipient, and that no change in circumstances has occurred, or will occur upon the making of the Advance hereby requested, which would preclude continued reliance upon the opinion of bond counsel to the Recipient rendered in connection with the Note.

9. Payments aggregating \$ 3,000,000 have been incurred by the Recipient for Project Costs which, based upon information provided me by the Recipient's engineer for this project, constitute an "eligible project" under the State Act as shown on the Disbursement Request Form attached hereto as Attachment I.

10. Based upon information provided me by the Recipient's engineer for this project, all amounts requisitioned hereunder are for eligible Project Costs which have not been included in any previous Advance.

11. (If requesting payment for costs of construction): As of the date hereof, the Recipient holds, and will retain, a legal and valid fee simple title or other estate or interest in the site(s) of the Project, including all necessary easements and/or rights-of-way, as are or will be necessary for the Recipient's continued undisturbed use and possession of the site(s) of the Project during the construction, operation and maintenance of the Project.

12. (If requesting payment for costs of construction): The Recipient has obtained all licenses, permits or other approvals required as of the date hereof to undertake the Project.

13. (If requesting payment for costs of construction): The Advance requested does not include any costs of construction (other than costs of planning and design) associated with plans and specifications which have not been accepted by DEC or the Corporation or for which the Recipient has not submitted all items requested by the Corporation is such approval and complied with any other conditions of such approval.

14. (If requesting payment for costs of construction): The Advance requested does not include any costs for change orders which have not been accepted by the Corporation.

15. (If requesting payment for costs associated with professional services agreement): The Advance requested does not include any costs incurred pursuant to any professional services agreements which have not been furnished to the Corporation.

16. (If requesting payment for costs for professional services associated with inspection and engineering services during construction): The Advance requested does not include any costs incurred pursuant to any professional services agreement pertaining to inspection and engineering services during construction of the Project which has not been reviewed and so accepted by the Corporation.

17. (If requesting payment for costs associated with technical force account work): The Advance requested does not include any costs of construction (other than costs of planning and design) associated with the Technical Force Account Proposal which has not been approved by the Corporation.

18. (If requesting payment for costs for equipment): The Advance requested does not include any costs for equipment which have not been accepted and approved by DEC or the Corporation.

19. The amount requested does not include any project costs associated with a Utilization Plan, EEO policy statement, or staffing plan as applicable, which has not been approved by the Corporation. If a Utilization Plan, EEO policy statement, or staffing plan, as applicable, has been approved by the Corporation, documentation as may be required by the Corporation to verify compliance with EEO, Affirmative Action, and MWBE requirements has been provided, or, the Recipient is in compliance with all EEO, Affirmative Action, and MWBE requirements.

20. The facsimile of the seal which is impressed or imprinted upon this certificate has been imprinted or impressed upon the Recipient Note and is the legally adopted, proper and only official corporate seal of the Recipient.

21. The undersigned is duly authorized to execute and deliver this Supplemental Certificate of Determination on behalf of the Recipient.

22. The Recipient hereby represents and warrants that it is not a debarred or suspended party under 2 CFR Part 180 and 2 CFR 1532. Further, the Recipient has not made any award, contract or agreement for purchases of goods or services with any debarred or suspended party under 2 CFR Part 180 and 2 CFR 1532 or with any party that has been determined to be ineligible to bid under Section 316 of the Executive Law.

23. The Recipient hereby represents and warrants that it has obtained a certification in the form of Exhibit M to the Project Finance Agreement from each contractor and subcontractor which has a contract financed hereunder which exceeds \$100,000 and that the Recipient has submitted to the Corporation each such contractor and subcontractor certification as required under 40 CFR Part 34.

24. If applicable with respect to Davis-Bacon compliance, the Recipient confirms that for each payroll copy received since the last certification made on any payroll that the project is in compliance with the requirements of 29 CFR 5.5(a)(1) based on the applicable weekly payroll copies.

IN WITNESS WHEREOF, I have hereunto set my hand and the corporate seal of the Recipient has hereunto been affixed as of the date first set forth above.

TOWN OF DUANESBURG

(SEAL)

By: _____
Name (Please Print): Roger Tidball
Title: Supervisor

NYS Environmental Facilities Corporation
 Phone: (516) 402-7085
 Fax: (516) 402-7086

Prepared on 12/18/2017

Cost Summary
Duanesburg T, C4-5469-02-00

15
 Request No. **42**

Contractor Name / Cost Description	Contract Date	Contract Amt	Eligible Amt	Disbursed To Date	Project Cost To Date	Elig. Contract Amt. Remaining	Costs Requested
Brunswick Electric, Inc.	06/28/2016	\$57,861.20	\$57,861.20	\$54,968.14	\$54,968.14	\$2,893.06	
Construction Contract No. TD1-E-16 - SD #3 Sanitary Sewer Collection System	Lump Sum	\$57,861.20	\$57,861.20	\$54,968.14	\$54,968.14	\$2,893.06	
J Squared Construction Corp	07/06/2017	\$299,000.00	\$299,000.00	\$193,800.00	\$215,175.00	\$105,200.00	
Construction Contract No. TD1-G-17 - General	Lump Sum	\$299,000.00	\$299,000.00	\$193,800.00	\$215,175.00	\$105,200.00	
Schoenecker Construction, LLC	10/01/2016	\$28,400.00	\$28,400.00	\$28,400.00	\$28,400.00	\$0.00	
Construction Delanson WWTP Filter Service	Lump Sum	\$28,400.00	\$28,400.00	\$28,400.00	\$28,400.00	\$0.00	
Vaerl Construction Corporation	06/28/2016	\$2,078,132.10	\$2,078,132.10	\$1,959,846.25	\$1,959,846.25	\$118,285.85	
Construction Contract No. TD1-G-16 - SD #3 Sanitary Sewer Collection System	Lump Sum	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(conditioned)
Construction Contract No. TD1-G-16 - SD #3 Sanitary Sewer Collection System	Lump Sum	\$2,078,132.10	\$2,078,132.10	\$1,959,846.25	\$1,959,846.25	\$118,285.85	\$22,231.59
Delaware Engineering, P.C.	02/27/2013	\$150,000.00	\$150,000.00	\$119,180.51	\$119,180.51	\$30,819.49	
Engineering Archaeologist	Not to Exceed	\$35,000.00	\$35,000.00	\$9,593.40	\$9,593.40	\$25,406.60	
Planning Phase	Not to Exceed	\$90,000.00	\$90,000.00	\$87,587.11	\$87,587.11	\$2,412.89	\$2,412.89
Surveyor	Not to Exceed	\$25,000.00	\$25,000.00	\$22,000.00	\$22,000.00	\$3,000.00	
Delaware Engineering, P.C.	03/02/2017	\$300,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$248,900.38
Engineering Design, Permitting and Bidding Services	Not to Exceed	\$300,000.00	\$0.00	\$0.00	\$0.00	\$0.00	(mwbe restricted)
Mazzotta, Sherwood & Vaglanelis, P.C.	02/22/2016	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	
Bond Counsel Bond Counsel	Estimate	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	

NYS Environmental Facilities Corporation
 Phone: (518) 402-7085
 Fax: (518) 402-7086

Prepared on 12/18/2017

<p align="center">Cost Summary Duanesburg T, C4-5469-02-00</p>

15
 Request No. 12

Contractor Name / Cost Description	Contract Date	Contract Amt	Eligible Amt	Disbursed To Date	Project Cost To Date	Elig. Contract Amt. Remaining	Costs Requested
Whiteman, Osterman & Hanna, LLP	12/15/2015	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	
Local Counsel Local Counsel	Estimate	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	
Miscellaneous	05/25/2016	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00	
Other Miscellaneous	Estimate	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00	

NYS Environmental Facilities Corporation
 Phone: (516) 402-7085
 Fax: (516) 402-7086

Prepared on 12/19/2017

Cost Summary
Duanesburg T, C4-5469-02-00

15
 Request No. 12

Contractor Name / Cost Description	Contract Date	Contract Amt	Eligible Amt	Disbursed To Date	Project Cost To Date	Elig. Contract Amt. Remaining	Costs Requested
Contingency	05/25/2016	\$51,606.70	\$0.00	\$0.00	\$0.00	\$0.00	
Contingency Contingency	Estimate	\$51,606.70	\$0.00	\$0.00	\$0.00	\$0.00	(not releaseable)
New contracts (include copy of contract with request):							
PROJECT TOTALS FOR C4-5469-02-00:		\$3,000,000.00	\$2,648,393.30	\$2,356,194.90	\$2,377,659.90		

LESS OFFSETS:

TOTAL NET REQUESTED FOR THIS DISBURSEMENT: **\$273,544.86**

Summary of SRF Funding for C4-5469-02-00 (all financings)	
Total Amount Financed by SRF:	\$ 2,250,000.00
Total SRF Grant:	750,000.00
Total Project Costs Disbursed to Date:	2,356,194.90
PLUS: Cost of Issuance Disbursed:	0.00
Total SRF Funds Disbursed To Date:	\$ 2,356,194.90

Summary of SRF Funding for C4-5469-02-00 (current financing only)	
SRF Financing Amount:	\$ 2,250,000.00
SRF Grant Amount:	750,000.00
Disbursed To Date:	2,356,194.90
Available Balance:	\$ 643,805.10



10 - Final

Application For Payment Change Order Summary

1. ORIGINAL CONTRACT PRICE.....		
2. Net change by Change Orders.....		
3. Current Contract Price (Line 1 ± 2).....		
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate).....		
5. RETAINAGE:		
a. 0%.....	X	\$2,223,159.02 Work Completed.....
b. 0%.....	X	<u>\$0.00</u> Stored Material.....
c. Total Retainage (Line 5a + Line 5b).....		
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).....		
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....		
8. AMOUNT DUE THIS APPLICATION.....		
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above).....		

\$	\$2,076,000.00
\$	\$147,159.02
\$	\$2,223,159.02
\$	\$2,223,159.02
\$	\$0.00
\$	\$0.00
\$	\$0.00
\$	\$2,223,159.02
\$	\$2,200,927.43
\$	\$22,231.59
\$	\$0.00

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances

By: H. A. C. A. 7/26/2019

Payment of:

\$22,231.59
(Line 8 or other - attach explanation of the other amount)

is recommended by:

(Engineer)

Payment of

is approved by:

(Owner)

Approved by:

Funding Agency (if applicable)

(1997)

Progress Estimate

Contractor's Application

For (contract): Sewer District No. 3 - Sanitary Sewer Collection System

Application Period: 02/01/2018 Through 02/26/2019

Application Number: 10 - Final

Application Date: February 26, 2019

A				B		C	D	E	F		
Bid Item No.	Item	Description	Bid Quantity	Unit Price	Bid Value	Estimated Quantity Installed	Value	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F) B	Balance to Finish (B - F)
1		Mobilization & Demobilization, Bond, Insurance	1.00	\$91,000.00	\$91,000.00	100.00%					
2		Maintenance and Protect of Traffic (M&PT)	1.00	\$55,000.00	\$55,000.00	100.00%			\$91,000.00	100.0%	
3		NYSDOT Work Permit & Schenectady County Work Permit	1.00	\$5,500.00	\$5,500.00	100.00%			\$55,000.00	100.0%	
4		Utility Clearance/Support During Construction	1.00	\$5,000.00	\$5,000.00	100.00%			\$5,500.00	100.0%	
5		Site Work	1.00	\$35,000.00	\$35,000.00	100.00%			\$5,000.00	100.0%	
					\$35,000.00				\$35,000.00	100.0%	
6		New HDPE DR11 Sanitary Sewer Pipe - Directional Bore/Open									
7		8" HDPE DR11 - Gravity Sewer Main - Directional Bore	573.00	\$98.00	\$56,154.00	543.00	\$53,214.00				
8		4" HDPE DR11 - Gravity Sewer Laterals - Directional Bore	627.00	\$70.00	\$43,890.00	710.00	\$49,700.00		\$53,214.00	94.3%	\$2,940.00
9		6" HDPE DR11 - Force Main Sewer Pipe	7,620.00	\$50.00	\$381,000.00	7,424.00	\$371,200.00		\$49,700.00	113.2%	\$2,810.00
10		1-1/2" HDPE DR11 - Force Main Sewer Laterals	564.00	\$34.00	\$19,176.00	505.00	\$17,170.00		\$371,200.00	97.4%	\$9,800.00
		1-1/4" HDPE DR11 - Force Main Sewer Laterals	1,587.00	\$32.00	\$50,784.00	3,209.00	\$102,688.00		\$17,170.00	89.5%	\$2,006.00
11		8" SDR35 - Open Cut Gravity Sewer Mainline	7,037.00	\$58.00	\$408,146.00	6,693.50	\$388,223.00		\$102,688.00	202.2%	\$-51,904.00
12		4" SDR35 - Open Cut Gravity Sewer Laterals	1,160.00	\$45.00	\$52,200.00	1,350.00	\$60,750.00		\$388,223.00	95.1%	\$19,923.00
13		Precast Concrete MH & Appurtenances (34EA w/ Casting)	190.00	\$500.00	\$95,000.00	223.49	\$111,745.00		\$60,750.00	176.4%	\$-35,550.00
14		Air Relief Valve FM w/ Appurtenances	1.00	\$8,000.00	\$8,000.00	100.00%			\$111,745.00	117.6%	\$-16,745.00
15		Line Cleanouts FM w/ Appurtenances	8.00	\$4,000.00	\$32,000.00	8	\$32,000.00		\$8,000.00	300.0%	
16		New 6" CL52 DIP Bell & Socket SS FM Bridge Crossing	1.00	\$60,000.00	\$60,000.00	100.00%			\$32,000.00	100.0%	
17		New Residential Grinder Pump Stations and Appurtenances	21.00	\$11,000.00	\$231,000.00	22	\$242,000.00		\$60,000.00	100.0%	
18		Sanitary Sewer Pump Station & Appurtenances	1.00	\$146,000.00	\$146,000.00	100.00%			\$242,000.00	104.8%	\$-11,000.00
19		Stationary Emergency Generator Fuel Storage Tank for PS	1.00	\$6,000.00	\$6,000.00	100.00%			\$146,000.00	100.0%	
20		Site Restoration: NYSDOT Areas	1.00	\$65,000.00	\$65,000.00	100.00%			\$6,000.00	100.0%	
21		Site Restoration: Non-NYSDOT Areas	1.00	\$30,000.00	\$30,000.00	100.00%			\$65,000.00	100.0%	
22		Site Restoration: Town Obtained Easement Areas	1.00	\$15,000.00	\$15,000.00	100.00%			\$30,000.00	100.0%	
23		Storm Drain Smooth Bore Corrugated HDPE 12" Dia.	150.00	\$61.00	\$9,150.00	30.00	\$1,830.00		\$50,000.00	100.0%	
24		Allowance for Unforeseen Site Conditions on all Work Areas	1.00	\$20,000.00	\$20,000.00	16.00%	\$3,200.00		\$1,830.00	20.0%	\$7,320.00
					\$3,200.00				\$3,200.00	16.0%	\$16,800.00
Subtotals This Page (Additional on Next Page)					\$1,920,000.00		\$1,955,220.00		\$1,955,220.00	101.8%	\$-35,220.00

Contractor's Application

EFCD C-620 Contractor's Application for Payment
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Page 3 of 3

INVOICE**Vacri Construction Corporation**

One Brick Avenue
 Binghamton, New York 13901
TEL: 607.723.4319 FAX: 607.723.9539

Invoice Submitted To:	Phone / Fax	Date
Town of Duanesburg		February 26, 2019
Street	Job Name	
5853 Western Turnpike	Miscellaneous Work - See Descriptions Below	
City, State and Zip Code	Job Location	
Duanesburg, NY 12056	Sewer District No. 3	
Attention	Email	
Roger Tidball, Town of Duanesburg Supervisor		

Proposed sewer system work has been completed for the sum of:

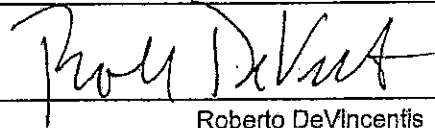
Dollars **\$16,324.93**

Payment to be made as follows:

Net 30 Days

All Material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, Accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized
Signature



Roberto DeVincentis

Vacri Construction has completed the following additional work on the Sewer District No. 3 sanitary sewer collection system and is hereby requesting payment for the following items:

Force Main Repair at Rte 7 Bridge Crossing : \$7,347.23

Storm Drainage Pipe Repair at Stewarts Station : \$5,735.39

Electrical J-Box Installation at Pump Station : \$2,310.00

Damaged Curb Stop Repair - 8313 Rte 7 : \$5,432.31

CREDIT - Emergency Repair at 8055 Rte 7 : (\$4,500.00)

Total Bill : \$16,324.93

Mariaville WWTP Work Plan and Budget for WQIP Grant

ATTACHMENT C - WORK PLAN

SUMMARY

PROJECT NAME: Mariaville Lake UV Disinfection Project

CONTRACTOR SFS PAYEE NAME: DUANESBURG TOWN OF

CONTRACT PERIOD: From: 05/01/2018
To: 04/30/2023

Project Summary: A high-level overview of the project, including the overall goal and desired outcomes.

The Mariaville Lake Wastewater Treatment Plant (WWTP), owned and operated by the Town of Duaneburg, is located off of NYS Route 159 in the Town of Duaneburg, Schenectady County. The WWTP is designed and permitted to treat up to 100,000 gallons per day and discharges to a tributary of the South Chuctanunda Creek, a class C stream. The WWTP serves the Hamlet of Mariaville Lake and is known as Sewer District #2. A small portion of the Hamlet is located in the Town of Princeton and these residences are also served by the sewer district. The district has approximately 280 properties connected to the sanitary sewer system. For the purposes of apportioning sewer rents, the sewer district is calculated to have 280.5 equivalent dwelling units.

The WWTP is regulated under State Pollutant Discharge Elimination System (SPDES) Permit # NY-026 8437. In 2018, the Town received a "Notice of Intent to Modify" the SPDES permit from the NYSDEC, which mandated seasonal effluent disinfection in order to decrease overall fecal coliform levels in the discharged water. They also received a Draft SPDES permit which contained a compliance schedule requiring that disinfection be provided no later than May 1, 2023.

The Town proposes to meet the new mandate by adding ultra violet (UV) disinfection to the wastewater treatment process train. The original plant design plans detail a location for a "future UV disinfection" unit, so no major plant or building modifications are anticipated to be required for this project. As required in the 10 States Standards, the Town will install 2 UV units so that one unit will always be available when the 2nd unit is taken offline for periodic maintenance or repair. SCADA controls will be added to monitor the functioning of the UV units.

Contract Number: # DEC01-C00799GG-3350000

Page 1 of 1 , Attachment C - Work Plan Summary

ATTACHMENT C - WORK PLAN
DETAIL

Objective

- 1 Protection of public health and safety - The addition of UV disinfection to the WWTP process train will decrease the fecal coliform count in the effluent discharged from the plant thereby protecting the receiving waters and public health and safety.

Tasks

- 1.1 Design plans submittal - The Town's chosen engineer will prepare design plans and specifications for NYSDEC review and approval. The plans will require the approval of the NYSDEC regional permit office.

Performance Measures

- 1.1.1 Design Plan Approval - Approval of the plans by the NYSDEC regional permit office.

Tasks

- 1.2 Bidding and Award - Once design plans are approved, the project will be publicly bid.

Performance Measures

- 1.2.1 Awarding of contract - Awarding of the one prime contract to the successful bidder.

Tasks

- 1.3 Construction - installation of the UV disinfection units and SCADA controls for monitoring the new equipment.

Performance Measures

- 1.3.1 successful installation of the new UV disinfection unit and monitoring - UV units are installed and functioning as per manufacturers criteria.

Tasks

- 1.4 Successful Start-up - Units are installed as per approved plans and specifications and operating as per the manufacturer's warranty.

Performance Measures

- 1.4.1 Units are operating as per manufacturer's specifications - UV units will be monitored to confirm that they are operating as designed.

ATTACHMENT C - WORK PLAN

DETAIL

Objective

2 Modified SPDES Permit compliance - The effluent does not exceed fecal coliform levels established in the modified SPDES permit

Tasks

2.1 Testing of effluent for coliform levels - Samples will be tested for total fecal coliform.

Performance Measures

2.1.1 Effluent meets modified SPDES criteria - The total fecal coliform in tested samples should not exceed 200/100ml (30 day geometric mean) or 400/100ml (7 day geometric mean) from May 1st to October 31

ATTACHMENT B-1 EXPENDITURE BASED BUDGET

SUMMARY

PROJECT NAME: Mariaville Lake UV Disinfection Project

CONTRACTOR SFS PAYEE NAME: DUANESBURG TOWN OF

CONTRACT PERIOD: From: 05/01/2018
To: 04/30/2023

CATEGORY OF EXPENSE	GRANT FUNDS	MATCH FUNDS	MATCH %	OTHER FUNDS	TOTAL
1. Personal Services					
a) Salary	\$0.00	\$0.00	0 %	\$0.00	\$0.00
b) Fringe	\$0.00	\$0.00	0 %	\$0.00	\$0.00
Subtotal	\$0.00	\$0.00	0 %	\$0.00	\$0.00
2. Non Personal Services					
a) Contractual Services	\$288,960.00	\$72,240.00	25 %	\$0.00	\$361,200.00
b) Travel	\$0.00	\$0.00	0 %	\$0.00	\$0.00
c) Equipment	\$0.00	\$0.00	0 %	\$0.00	\$0.00
d) Space/Property & Utilities	\$0.00	\$0.00	0 %	\$0.00	\$0.00
e) Operating Expenses	\$0.00	\$0.00	0 %	\$0.00	\$0.00
f) Other	\$11,040.00	\$27,760.00	251 %	\$0.00	\$38,800.00
Subtotal	\$300,000.00	\$100,000.00	33 %	\$0.00	\$400,000.00
TOTAL	\$300,000.00	\$100,000.00	33 %	\$0.00	\$400,000.00

Contract Number: # DEC01-C00792GG-3350000

Page 1 of 7, Attachment B-1 - Expenditure Based Budget

ATTACHMENT B-1 EXPENDITURE BASED BUDGET

PERSONAL SERVICES DETAIL

SALARY					
POSITION TITLE	ANNUALIZED SALARY PER POSITION	STANDARD WORK WEEK (HOURS)	PERCENT OF EFFORT FUNDED	NUMBER OF MONTHS FUNDED	TOTAL
				Subtotal	
TOTAL FRINGE					
PERSONAL SERVICES TOTAL					

ATTACHMENT B-1 - EXPENDITURE BASED BUDGET
NON-PERSONAL SERVICES DETAIL

CONTRACTUAL SERVICES - TYPE/DESCRIPTION	TOTAL
Professional Engineering Services	\$87,500.00
Construction Services	\$273,700.00
TOTAL	\$361,200.00

ATTACHMENT B-1 - EXPENDITURE BASED BUDGET
NON-PERSONAL SERVICES DETAIL

TRAVEL TYPE/DESCRIPTION	TOTAL
	\$0.00
TOTAL	\$0.00

Contract Number: # DEC01-C00799GG-3350000

Page 4 of 7, Attachment B-1 - Expenditure Based Budget

EQUIPMENT - TYPE/DESCRIPTION	TOTAL
TOTAL	

OPERATING EXPENSES - TYPE/DESCRIPTION	TOTAL
TOTAL	

Contract Number: # DEC01-C00799GG-3350000

Page 6 of 7, Attachment B-1 - Expenditure Based Budget

OTHER TYPE/DESCRIPTION	TOTAL
Legal/Bonding/Administration/STF	\$38,800.00
TOTAL	\$38,800.00

DEC RFI for Delanson

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Permits
625 Broadway, Albany, New York 12233-3505
P: (518) 402-8111 | F: (518) 402-9029
www.dec.ny.gov

April 30, 2019

Roger Tidball, Supervisor
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

Subject: Request for Information - SPDES Permit # NY0261271
Due Date: July 26, 2019

Dear Permittee:

The Department is aware of a capital improvement project at your SPDES permitted facility. In accordance with the Department's Environmental Benefit Permit Strategy (EBPS), the Department will be conducting a comprehensive review of your SPDES permit to ensure that it complies with all applicable laws and regulations.

Please be aware that approval of the design documents cannot occur, and **construction cannot begin** before the review is complete and a final SPDES permit has been issued. Please consider responding as soon as possible, ahead of the deadline, to help expedite the review.

Please complete Municipal Application Form NY-2A (www.dec.ny.gov/permits/6287.html), as well as the information requested on the attached Additional Instructions form and submit as an electronic copy in PDF format (and Excel format for data files) to SPDESapp@dec.ny.gov. Do not submit a copy to the regional NYSDEC office.

Please note that you are responsible for maintaining a permit that adequately authorizes your discharge(s). Therefore, you should also provide us with any additional information concerning your discharge or planned improvements, such as:

- increase in discharge flow (expansion)
- changes to your treatment system (new or additional treatment processes)
- changes to your outfall configuration or location
- changes to your service area
- Increase or change to the content of the waste being treated

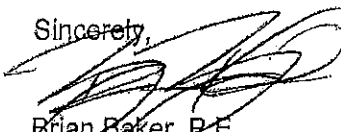
Please note that you are required by the terms of your permit and 6 NYCRR Part 750-1.19 to provide this information. Failure to provide accurate and timely information may prevent renewal of your permit in the future, may result in permit revocation and/or may result in the assessment of penalties.



Department of
Environmental
Conservation

If you have questions concerning this request, please contact Ms. Monica Moss, P.E. at monica.moss@dec.ny.gov or (518) 402-8104.

Sincerely,



Brian Baker, P.E.
Section Chief

cc: COPY VIA EMAIL ONLY
RWE, NYSDEC R4
BWP – Permit Coordinator
EFC – Rachel Kenyon

**State Pollutant Discharge Elimination System (SPDES)
Environmental Benefit Permit Strategy (EBPS)
ADDITIONAL INSTRUCTIONS**

In addition to completing Municipal Application Form NY-2A, please provide the information requested below:

1. **SUMMARY OF EXISTING REQUIRED SAMPLING** -- Attach a tabularized summary, in Excel spreadsheet or compatible format, of all sampling required by the permit over the past 4.5 years. Include date of sample, parameter, sampling date, sampling location, EPA Method, concentration and/or mass reported, units, and flow rate for each outfall.
2. **FLOW DIAGRAM:** Include a unit flow diagram (or line diagram) clearly showing the flow of wastewater at your facility, including all major treatment units, outfalls and sampling locations.
3. **STORMWATER NO EXPOSURE CERTIFICATION:** Complete the attached NYSDEC No Exposure Certification form for Stormwater and return with your application materials.
4. **MIXING ZONE FORM:** Complete the attached mixing zone form and return with your application materials.
5. **SAMPLING:** Complete the following sampling for the indicated outfalls and receiving water. For effluent sampling, one composite sample (at the frequency currently in your permit) shall be collected except for parameters that require grab (pH, temperature, settleable solids, coliform).

Outfall(s)		Sampling Required ¹
X	Primary Outfall	Conventional ¹
X		13 Priority Pollutant Metals ²
X		Volatiles (EPA Method 624)
X		Acid Compounds (EPA Method 625)
X		Base Neutral (EPA Method 625)
X		Mercury (EPA Method 1631) ²
X		Pesticides/PCB (EPA Method 608)
X	Ambient Sampling of Receiving Water ³	BOD ₅ , Dissolved Oxygen, Hardness (as CaCO ₃), Ammonia (as N), Total Kjeldahl Nitrogen (TKN, as N), Total Phosphorus, Total Dissolved Solids (TDS), Temperature, pH, and Priority Pollutant Metals. ²

1. Conventional parameters which shall be sampled include: BOD₅, COD, Dissolved Oxygen, TSS, TDS, Settleable Solids, Oil & Grease, Total Organic Nitrogen, Ammonia (as N), Nitrate (as N), Nitrite (as N), Total Kjeldahl Nitrogen (TKN, as N), Total Phosphorus, Flow Rate, Temperature, pH, Total Residual Chlorine (if applicable), Fecal Coliform, Total Coliform, E. coli, and Enterococci.
 2. Mercury analysis shall be performed using EPA Method 1631. Other metals shall be analyzed using EPA Method 200.7. Analysis shall be for the "Total" form of metals.
 3. The ambient receiving water sampling location shall be as close to the outfall(s) as is reasonable while also being outside of the direct influence of the discharge(s), i.e. upstream or, for ponded waters, outside the mixing zone. The selected location shall be indicated on the submitted application. Ambient samples shall be collected in accordance with applicable sampling protocols and be representative of the ambient conditions in the receiving water.
6. **SUMMARY & SAMPLING OF STORMWATER DISCHARGES (if applicable):** Submit a description of any stormwater outfalls that runoff from the site to surface water or to a separate storm sewer system, including latitude and longitude (degrees, minutes, seconds), receiving water, and classification of receiving water. Sampling of each stormwater outfall must be conducted for conventional parameters and any toxic parameters that are exposed to stormwater at the facility. A grab sample of stormwater must be collected during the first 30 minutes of discharge from a storm of at least 0.1 inches of accumulation which has been preceded by at least 72 hours of dry weather.
7. **DESCRIPTION OF PUMP STATION EMERGENCY OVERFLOWS (if applicable):** Submit a description of any emergency pump station outfalls, including existing CSOs, SSOs, and other known bypasses that discharge to surface water. Include a physical description of the overflow structure, latitude and longitude of the discharge point, receiving water, and classification of receiving water. Also include frequency (occurrences/month) and average duration of discharge (hours). Data from Sewage Pollutant Right-to-Know reporting may be included to satisfy portions of this requirement.



Department of Environmental Conservation

NO EXPOSURE CERTIFICATION

for Exclusion from SPDES Stormwater Permitting

The completed No Exposure Certification should be submitted along with the NY-2A application to SPDESapp@DEC.ny.gov.

I. Owner/Facility Information

Owner/Operator Name:

Mailing Address:

City/State/Zip:

Contact Name:

Phone No.:

Facility Name:

Street Address:

City/State/Zip:

County:

Latitude:

Longitude:

SIC Code:

Was the facility previously covered under a SPDES MSGP permit? ☐ Yes ☐ No If Yes to either question, enter SPDES ID: NYR _____
Is there a No Exposure Certification currently on file with the Department? ☐ Yes ☐ No If Facility was previously covered under the MSGP, the completion of this section will serve as a termination of your MSGP coverage.

II. Exposure Checklist

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? (Please check either "Yes" or "No" in the appropriate box.) If you answer "Yes" to any of these questions (1) through (11), you are not eligible for the no exposure exclusion.		YES	NO
1	Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater		
2	Materials or residuals on the ground or in stormwater inlets from spills/leaks		
3	Materials or products from past industrial activity		
4	Material handling equipment (except adequately maintained vehicles)		
5	Materials or products during loading/unloading or transporting activities		
6	Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants)		
7	Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers		
8	Materials or products handled/stored on roads or railways owned or maintained by the discharger		
9	Waste material (except waste in covered, non-leaking containers [e.g., dumpster])		
10	Application or disposal of process wastewater (unless otherwise permitted)		
11	Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the storm water outflow		

III. Certification

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from SPDES stormwater permitting. I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)). I understand that I am obligated to submit a no exposure certification form once every five years to the NPDES permitting authority and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the SPDES permitting authority, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request.

Printed Name:

Title/Position:

Signature:

Date:

Clear Form

(1/1/18)

MIXING ZONE FORM

To be submitted with the NY-2A Application Form

Outfall # 001 Configuration

1.	Choose the diagram that best represents your outfall (Figure 2-4). Refer to that figure to complete numbers 2-9.		Figure:
2.	Discharge outfall height (center to bottom of waterbody)	= H_o	Ft:
3.	Average water depth (average depth across entire cross-section)	= H_A	Ft:
4.	Actual water depth at outfall (depth of water near the outfall)	= H_D	Ft:
5.	Distance to the bank from outfall	= $DISTB$	Ft:
6.	Outfall/Port diameter (for Figure 3, provide number and diameter of the discharge ports)	= D_o	Ft:
7.	Angle between outfall and waterbody (see Figure 1, below)		Degrees:
8.	Bottom slope (Figure 4 only)	= θ	Degrees:
9.	Channel width (Figure 4 only)	= B_o	Ft:
10.	Provide a cross-section diagram of the waterbody at the discharge site.		
11.	Provide plan and elevation (section) views of the outfall pipe/diffuser.		
12.	Provide a plan view of the outfall pipe and surrounding areas .		

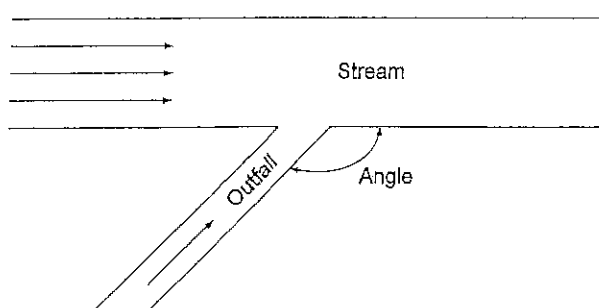


Figure 1: Outfall Angle

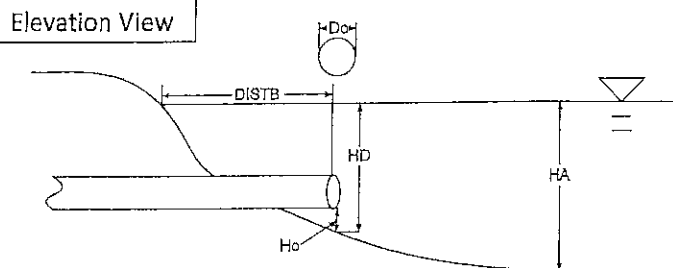


Figure 2: Cross-Section of Single Pipe Outfall

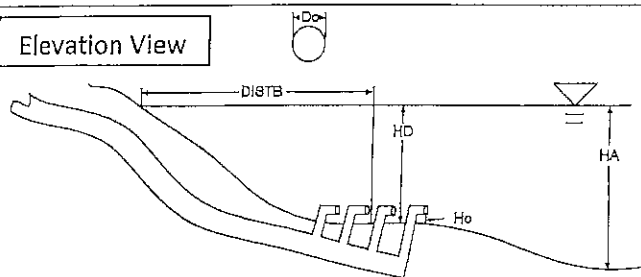


Figure 3: Cross-Section of Multiport Diffuser

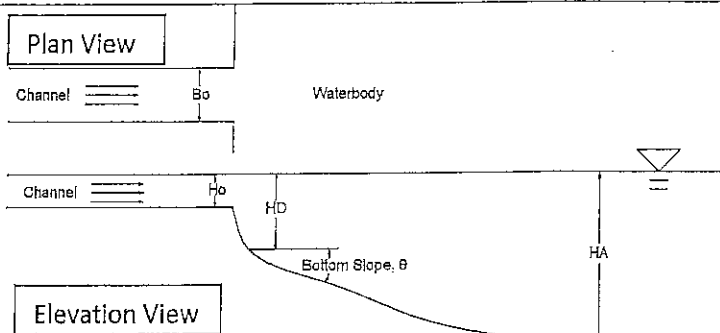


Figure 4: Cross-Section and Plan View of Channel Discharge

Town of Duanesburg

Fund Balance Policy

Developed for GASB 54

Purpose

The Town Board of Duanesburg recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the town and is fiscally advantageous for both the town and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by the town to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

Definitions

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund.

GASB Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance amounts will be reported in the following categories:

- 1) **Nonspendable fund balance** – amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).
- 2) **Restricted fund balance** – amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants or donations).
- 3) **Committed fund balance** – amounts that can be used only for the specific purposes determined by a formal action of the Town Board. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the board's commitment in connection with future construction projects).
- 4) **Assigned fund balance** – amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the Town Board or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- 5) **Unassigned fund balance** – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

Policy

The responsibility for designating funds to specific classifications shall be as follows:

Committed Fund Balance – The Town Board of Trustees is the Town's highest level of decision-making authority, and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Board.

Assigned Fund Balance – The Town Supervisor, as Budget Officer, is authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

Minimum Unassigned Fund Balance

It is the goal of the town to achieve and maintain an unassigned fund balance in the general fund at fiscal year end of not less than 100% of the appropriations and not to exceed one million dollars. If the unassigned fund balance at fiscal year end falls below the goal, the town shall develop a restoration plan to achieve and maintain the minimum fund balance.

Order of Expenditure of Funds

When multiple categories of fund balance are available for expenditure (e.g., a project is being funded partly by a grant, funds set aside by the Board, and unassigned fund balance), the town will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

Reasons for fund balance

The Town has experienced several costly events over the last several years that have cost the Town hundreds of thousands of dollars that were not budgeted for. We have had several natural disasters that caused severe damage to town roads and culverts in which the Town had to front funds for repair before being reimbursed from FEMA. The Town is still waiting for approximately \$80,000 in funds expended to be reimbursed by FEMA.

During the summer of 2018 the Town had an underground heating oil tank that was leaking removed and the cleanup cost in excess of \$160,000. The funds for that were not budgeted and were paid from fund balance.

The Town has also had recurring extensive costs associated with the establishment and continued operation of the Town sewer districts. These costs in some cases were required by the NYS Department of Environmental Conservation as part of the maintenance and upgrade of the sewage treatment facilities to meet newly imposed State or federal standards. While the Town has obtained grants and loans to cover some of these costs--the Town is typically required to front the money for the improvements and to seek reimbursement of the costs—a process that takes many months and which is rarely complete in one budget cycle.

After a recent inspection, the DEC determined that the town needed an ultraviolet disinfectant system at one of our waste water treatment plants. While the town eventually be reimbursed for 75% of this cost, the town still needs to lay out the funds initially, a sum of \$400,000. Once again having funds on hand, we are able to save our residents the cost of borrowing this sum of money.

The Town has been for the last several years pursuing the possibility of purchasing a building for a new town hall and town garage. We have looked at several locations and have contracted engineers to help develop plans to retrofit these buildings for future use as a town facility. The Town would agree to earmark the amount of \$ 20,00.00 to use for future exploration for these projects and upfront fees before financing is established if we agree to purchase a property.

The town has been recently replacing and updating our aging highway equipment and is preparing a plan to turn over equipment that is needed to be replaced. Having funds available in our fund balance will help bridge gaps in funding we will seek to purchase new equipment.
